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September 6, 2011

**By ECF**

Honorable Patty Shwartz  
M.L. King, Jr. Federal Bldg.  
& U.S. Courthouse  
50 Walnut Street - Room PO 10  
Newark, NJ 07101

**Re: Exxxotica New York, LLC v. Town of Secaucus, et al.,  
Civil Action No. 10-4536 (FCH) (PS) ("Action")**

Dear Magistrate Judge Shwartz:

We represent plaintiff and write on behalf of the remaining parties to the Action to request an extension of the August 16th cut-off date for presenting any unresolved discovery disputes that is currently set forth in the Second Amended Pretrial Scheduling Order entered on August 2, 2011.

Pursuant to the Second Amended Scheduling Order, the date for the service of responses to the parties' first sets of discovery requests was extended to Friday, August 12, 2011. However, it appears that the prior date for presenting unresolved discovery disputes to the Court was not similarly extended. The parties have agreed to conduct a "meet and confer" conference call on Friday, September 9, 2011 and if any issues remain unresolved following the call, to present any such issues to the Court on Wednesday, September 14, 2011. Accordingly, the remaining parties to the Action respectfully request that the date set in the Second Amended Pretrial Scheduling Order for presenting any unresolved discovery disputes to the Court be extended to September 14, 2011 and have submitted herewith a stipulation and proposed order.

Respectfully submitted,

*Andrew D. Friedman/pd*  
Andrew D. Friedman

ADF:pd

cc: All Counsel of record by ecf